

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 1644
)	
LAHN et al.)	Examiner: Schwadron, R.B.
)	
Serial No.: 09/826,319)	Confirmation No.: 4155
)	
Filed: April 3, 2001)	
)	
Atty. File No.: 2879-80)	
)	
For: "METHOD TO INHIBIT AIRWAY)	
HYPERRESPONSIVENESS USING)	
AEROSOLIZED T CELL RECEPTOR)	
ANTIBODIES")	

REPLY TO NOTIFICATION OF
NON-COMPLIANT
APPEAL BRIEF

SUBMITTED VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

This Reply is filed in response to the Notification of Non-Compliant Appeal Brief mailed on August 4, 2008, and is being filed with a petition for extension of two months. For the fees required to enter this paper, please debit Deposit Account No. 19-1970.

In the Notification of Non-Compliant Appeal Brief, the Examiner indicated that the page 17, first paragraph of the Brief referred to a "search of the literature and sequence databases" and evidence derived from said search; however, copies of said evidence and required statement per point 8 were not furnished.

Without acknowledging the propriety of this assertion, to expedite processing of this application, Applicants have deleted this statement and are submitting herewith a Third Amended Appeal Brief. In a telephone conversation with the Examiner, the Examiner had indicated that the deletion of the statement will cure the non-compliance and Applicants respectfully submit that the brief should now be seen in compliance.

Any questions or concerns regarding this Reply should be directed to the undersigned at
(303) 863-9700.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: / Rita P. Sanzgiri /
Rita P. Sanzgiri, Ph.D.
Registration No. 59,846
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: November 3, 2008